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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,863	06/28/2001	Masahiro Sakashita	16869S-027600US	5365
20350	7590	11/30/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP			GRAHAM, CLEMENT B	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR			3692	
SAN FRANCISCO, CA 94111-3834			DATE MAILED: 11/30/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/895,863	SAKASHITA ET AL.
	Examiner Clement B. Graham	Art Unit 3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 August 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 2-6, 8 and 9 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 2-6, 8 and 9 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1 and 7, has been cancelled and claims 2-6, remained pending and claims 8-9 has been added.

**Claims Objections**

2. Claim 8 should end with a period, appropriate correction is required.

**Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2-6, 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Merchant U.S Patent 5, 864, 654.

As per claim 2, Merchant discloses further comprising the step of instructing, by the transaction intermediary unit, a financial institution to transfer funds between 4 terminals of concerned parties, based on said payment management data and said receipts management data.(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 3, Merchant discloses further comprising the step of providing, the transaction intermediary unit, information as to financial services to the terminal of a concerned party, based on said accounts receivable data.(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 4, Merchant discloses further comprising the step of providing, by the transaction intermediary unit, information as to financial services to the terminal of a concerned party, based on said accounts receivable data. (see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 5, Merchant discloses a system for managing accounts receivable

and accounts payable through an intermediary of transactions, comprising a transaction intermediary unit connected to processing means of each of transaction parties through a network, for acting as an intermediary for transactions, wherein said transaction intermediary unit includes means for relaying, between concerned parties(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67)

ordering data, order-receiving/delivery data and inspection data received from the parities concerned parties according to transactions:

means for preparing accounts receivable data, accounts payable means for sending the data thus prepared to the respective concerned parties. (see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67) data, payment management data and receipts management data, based on the data thus received(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 6, Merchant discloses further comprising processing means of a financial institution connected through a network, wherein said transaction intermediary unit further includes means for sending a fund transfer request to instruct the financial institution to transfer funds(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67) based on said payment management data and said receipts management data, and wherein said financial institution includes means for transferring funds between concerned parties in response to said fund transfer request; and means for sending of the to the respective concerned parties payment processing data and receipts processing data as a result of [[said]] fund transfer processing. (see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 8, Merchant discloses a method of managing accounts receivable and accounts payable in a system, wherein said system includes a plurality of terminals from among a plurality of transaction parties, and a transaction intermediary unit connected to said terminals, for performing intermediary services of transactions between said terminals, the method being performed by said transaction intermediary unit and comprising steps of

receiving order-related data comprising ordering data, order-receiving data, and delivery data from each respective terminal(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67) preparing accounts receivable data and accounts payable data for each respective terminal based on its order-related data;

sending the accounts receivable data and accounts payable data thus prepared teach respective terminal(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67) preparing payment management data and receipts management data for each respective terminal based on its order-related data; and

sending the payment management data and receipts management data thus prepared to each respective terminal(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67).

As per claim 9, Merchant discloses a computer readable storage medium having recorded thereon a program for managing accounts receivable and accounts payable in a system, said system comprising a plurality of terminals each thereof being provided at each of transaction parties and a transaction intermediary unit connected to the terminals, the transaction intermediary unit configured to perform intermediary services for transactions among the terminals, the program being executed by the transaction intermediary unit to perform actions comprising steps of:

receiving ordering data, order-receiving data and delivering data from the respective terminals(see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67)

preparing accounts receivable data and accounts payable data to the respective terminals, based on the data thus received from the terminals, and sending the data thus prepared to the respective terminals; and preparing payment management data and receipts management data to the respective terminals, based on the data thus received from the respective terminals, and sending the data thus prepared to the respective terminals. (see column 2 lines 58-67 and column 3 lines 1-23 and column5 lines 24-49 and column 6 lines 47-59 and column 7 lines 20-62 and column 8 lines 37-67)

**Conclusion**

**RESPONSE TO ARGUMENTS**

5. Applicants arguments filed 8/28/06 has been fully considered but they are moot in view of new grounds of rejections.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

November 24, 2006

  
FRANTZY POINVIL  
PRIMARY EXAMINER

  
AU 3692